

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SAPIR, et al.
Serial No.: 10/677,225
Filed: October 3, 2003
Title: A METHOD AND APPARATUS FOR DETECTING
 SUBSTANCE TO BE DETECTED CONTAINING AT LEAST
 ONE COMPONENT THAT IS DISPERSIBLE IN AIR IN THE
 FORM OF SOLID
 PARTICLES
Group: 1797
Examiner: SIEFKE, Samuel P.
Confirmation No.: 8599

REQUEST FOR RECONSIDERATION

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 10, 2009

Sir:

This is in response to the Office Action mailed February 13, 2009, in connection with the above-identified application.

Claims 1-15 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over EP-0169057-A2 (EP '057) in view of U.S. Patent No. 3,826,067 to Wilder and further in view of U.S. Patent No. 6,642,513 to Jenkins et al. Applicants traverse this rejection and request reconsideration thereof.

As noted by the Examiner, EP '057 discloses that "the air stream 71 in the line 48 enters the center of the coil 70 and travels radially there through as indicated by arrows 72." Accordingly, the filter structure disclosed by EP '057 is significantly different from the one disclosed by pending claim 1 of the present

patent application.

The filter described by EP '057 does not contain each of the elements forming the filter structure used in the method of the present invention (hollow tubular outer casing, central element closed at one end...) and particularly a central element which is in the form of a hollow tube closed at one end, so that "the air stream enters the center of the coil." In EP '057, the air stream passes radially through the coil so that the air stream goes from the interior to the exterior of the coil.

The filter used in the method set forth in pending claim 1 of the present application comprises, as shown by way of example only in the figures of the application, a hollow tubular outer casing 32 containing a filter-forming element 34 which is supported on a central element 36. Said central element 36 is closed at one end 37. Thus, the air stream *can not enter* the center of the filter-forming element 34 but it passes through the filter-forming element 34 so that the air stream goes *from the exterior to the interior of the filter-forming element*.

Therefore, EP '057 neither discloses nor suggests the features of the filter as described in pending claim 1 of the present patent application. Furthermore, Jenkins only discloses to use flat filters (see the sample traps 22 and 24 on figures 2 to 5). The features of the filter as described by pending claim 1 of the present patent application are neither disclosed by nor would have been obvious over EP '057 and Jenkins taken alone or in combination. Accordingly, the subject-matter of pending claims 1 to 15 is novel and unobvious over the prior art.

The Wilder et al patent shows the structure of a filter 28 in FIGS. 4 and 5. It comprises a cylindrical housing 31 having an entry port 30 at one end and an outlet 32 at its other end. Axially located within housing 31 is tubular screen 33 which is fastened securely to end wall 34 of housing 31. Circular non-perforate disc 35 is

attached to the other end of screen 33 and has a greater diameter than screen 33. Fitted snugly around screen 33 is pleated filter element 36 which seals against disc 35 and end wall 34.

The Wilder et al teaches that the filter is used in an exhaust system for an internal combustion engine. There is absolutely no reason provided by Wilder et al to use the filter in a method of detecting contraband substances as in EP '057. Moreover, noting that EP '057 teaches that the air stream should pass radially through the coil so that the air stream goes from the interior to the exterior of the coil, EP' 057 would have taught away from using a filter of the type described in Wilder et al.

Jenkins only teaches to use flat filters. See the sample traps 22 and 24 on Figures 2 to 5, and thus does not remedy the basic deficiency of the proposed combination of EP '057 and Wilder et al.

Based upon the above remarks, the presently claimed subject-matter is believed to be novel and non-obvious over the prior art. The Examiner is therefore respectfully requested to reconsider and withdraw the rejection raised under 35 USC § 103. This application is believed to be in condition for allowance and issuance of a notice of allowance is respectfully solicited.

To the extent necessary, applicants request an extension of time. Please

charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to deposit Account No. 01-2135 (935.43189X00) and please credit any excess fees to such deposit Account.

Respectfully submitted,

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